

Immunex Corporation

Express Mail No.: ET 437819752 US

Docket No.: 3160-C

## DECLARATION

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe that I am an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### **HEMATOPOIETIN RECEPTORS HPR1 AND HPR2**

the specification of which

is attached hereto.

OR

was filed on October 5, 2001 as United States Application No. 09/972,708

I hereby state that I have reviewed and understand the contents of said specification, including the claims. I acknowledge the duty to disclose information that is known to me and material to patentability of the subject claimed invention in accordance with 37 C.F.R. §1.56.

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I hereby claim the benefit under 35 U.S.C. §120 of the United States application(s) and PCT international application(s) designating the United States that are listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) or PCT international application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Application No.

Filed

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I hereby claim the benefit under 35 U.S.C. §119(e) of the United States provisional patent application(s) listed below:

Application No.

Filed

60/238,706

10/6/00

60/240,476

10/13/00

60/270,282

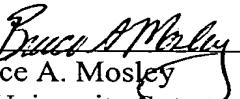
02/20/01

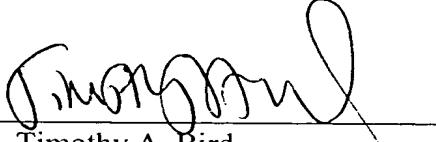
Immunex Corporation  
Declaration

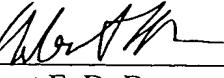
Docket No.: 3160-B

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature  Date 11/26/01  
Inventor David J. Cosman  
Post Office 51 University Street  
Address Seattle, Washington 98101  
U.S.A.  
Residence Bainbridge Island, Washington U.S.A.  
Citizenship United Kingdom

Signature  Date 11/8/01  
Inventor Bruce A. Mosley  
Post Office 51 University Street  
Address Seattle, Washington 98101  
U.S.A.  
Residence Seattle, Washington U.S.A.  
Citizenship U.S.A.

Signature  Date 11/8/01  
Inventor Timothy A. Bird  
Post Office 51 University Street  
Address Seattle, Washington 98101  
U.S.A.  
Residence Bainbridge Island, Washington U.S.A.  
Citizenship United Kingdom

Signature  Date 11/26/01  
Inventor Robert F. DuBose  
Post Office 51 University Street  
Address Seattle, Washington 98101  
U.S.A.  
Residence Bellevue, Washington U.S.A.  
Citizenship U.S.A.

Immunex Corporation  
Declaration

Docket No.: 3160-B

Signature Steven R. Wiley  
Inventor Steven R. Wiley  
Post Office 51 University Street  
Address Seattle, Washington 98101  
U.S.A.  
Residence Seattle, Washington U.S.A.  
Citizenship U.S.A.

Date 11/26/01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of: Docket No.: 3160-B  
David J. Cosman, Bruce A. Mosley,  
Timothy A. Bird, Robert F. DuBose and Group Art Unit: 1645  
Steven R. Wiley Examiner: Not assigned

Serial No: 09/972,708

Filed: October 5, 2001

For: HEMATOPOIETIN RECEPTORS HPR1 ANDHPR2

**STATEMENT UNDER 37 C.F.R. 3.73(b) AND**  
**POWER OF ATTORNEY BY ASSIGNEE**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

IMMUNEX CORPORATION (hereinafter "IMMUNEX"), a corporation of the State of Washington having a place of business at 51 University Street, Seattle, Washington 98101, is the assignee of the entire right, title, and interest in the above-identified U.S. patent application. Documentary evidence of a chain of title from the original owner(s) to Immunex is demonstrated by:

the enclosed copy of an Assignment, the original of which is being filed for recordation by the United States Patent and Trademark Office.

OR

the assignment recorded in the United States Patent and Trademark Office at Reel , Frame .

The undersigned, whose title is supplied below, is empowered to sign this statement on behalf of IMMUNEX.

IMMUNEX hereby appoints the registered practitioners at the following Customer Number to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:



**22932**

Immunex Corporation

Docket No. 3160-B

Statement Under 37 C.F.R. 3.73(b) and Power of Attorney by Assignee

Please send all correspondence and direct telephone calls to the above-identified  
Customer Number.

Respectfully submitted,

Date November 28, 2001

By Michael K. Kirschner  
Michael K. Kirschner  
Vice President, Intellectual Property

Enclosure: Copy of Assignment

Immunex Corporation

Docket No.: 3160-B

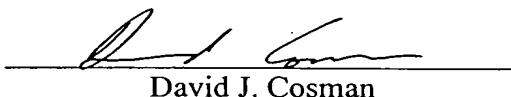
### ASSIGNMENT

WHEREAS, We, David J. Cosman, residing at Bainbridge Island, Washington, Bruce A. Mosley, residing at Seattle, Washington, Timothy A. Bird, residing at Bainbridge Island, Washington, Robert F. DuBose, residing at Bellevue, Washington, and Steven R. Wiley, residing at Seattle, Washington, are the inventors named in the U.S. application entitled "HEMATOPOIETIN RECEPTORS HPR1 AND HPR2," Serial No. 09/972,708 which was filed on October 5, 2001;

AND, WHEREAS, IMMUNEX CORPORATION, a corporation of the State of Washington, having a principal place of business at 51 University Street, Seattle, Washington 98101 (hereinafter referred to as ASSIGNEE) is desirous of acquiring the entire right and title to and interest in the invention(s) disclosed in said application;

NOW, THEREFORE, for sufficient, good and valuable consideration, the receipt of which is hereby acknowledged, we do hereby sell, assign, and transfer unto said ASSIGNEE our entire right and title to and interest in said application and said invention(s) and all U.S. and foreign applications and patents on said invention(s) to be held and enjoyed by ASSIGNEE as entirely as the same would have been held and enjoyed by us had this sale, assignment, and transfer not been made, and we do hereby further agree and promise to execute all instruments and render all such assistance as ASSIGNEE may request in order to make and prosecute any and all applications on said invention(s), to enforce any and all patents on said invention(s), and to confirm in ASSIGNEE legal title to said invention(s) and all applications and patents on said invention(s), all without charge to ASSIGNEE but at no expense to us.

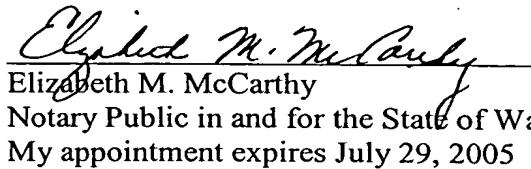
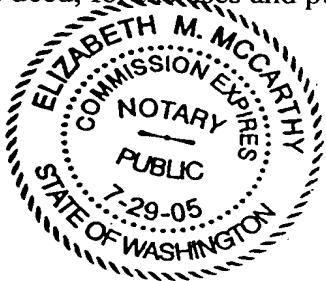
Executed at Seattle, Washington, this 26 day of November, 2001.



\_\_\_\_\_  
David J. Cosman

STATE OF WASHINGTON )  
                         ) ss.  
COUNTY OF KING      )

On this 26<sup>th</sup> day of November, 2001, personally appeared before me David J. Cosman, to me known to be the individual named above who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.



\_\_\_\_\_  
Elizabeth M. McCarthy  
Notary Public in and for the State of Washington.  
My appointment expires July 29, 2005

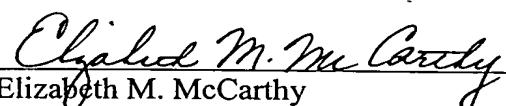
Executed at Seattle, Washington, this 8 day of November, 2001.

  
Bruce A. Mosley

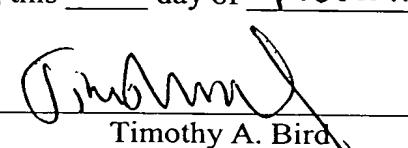
STATE OF WASHINGTON )  
                        ) ss.  
COUNTY OF KING      )

On this 8<sup>th</sup> day of November, 2001, personally appeared before me Bruce A. Mosley, to me known to be the individual named above who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.



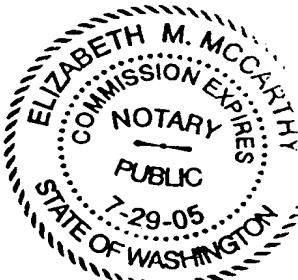
  
Elizabeth M. McCarthy  
Notary Public in and for the State of Washington.  
My appointment expires July 29, 2005

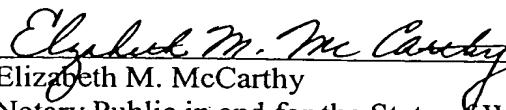
Executed at Seattle, Washington, this 8<sup>th</sup> day of November, 2001.

  
Timothy A. Bird

STATE OF WASHINGTON )  
                        ) ss.  
COUNTY OF KING      )

On this 8<sup>th</sup> day of November, 2001, personally appeared before me Timothy A. Bird, to me known to be the individual named above who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.



  
Elizabeth M. McCarthy  
Notary Public in and for the State of Washington.  
My appointment expires July 29, 2001

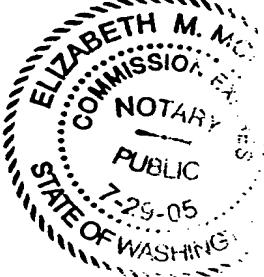
Executed at Seattle, Washington, this 26 day of November, 2001.



Robert F. DuBose

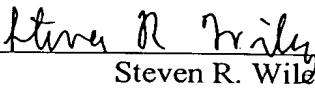
STATE OF WASHINGTON )  
                        ) ss.  
COUNTY OF KING      )

On this 26 day of November, 2001, personally appeared before me Robert F. DuBose, to me known to be the individual named above who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.



Elizabeth M. McCarthy  
Notary Public in and for the State of Washington.  
My appointment expires July 29, 2005

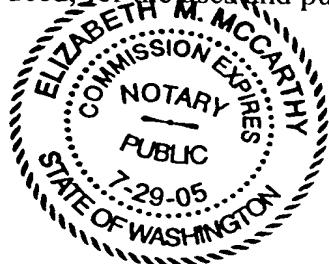
Executed at Seattle, Washington, this 26 day of November, 2001.



Steven R. Wiley

STATE OF WASHINGTON )  
                        ) ss.  
COUNTY OF KING      )

On this 26 day of November, 2001, personally appeared before me Steven R. Wiley, to me known to be the individual named above who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.



Elizabeth M. McCarthy  
Notary Public in and for the State of Washington.  
My appointment expires July 29, 2001